

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court

United States District Court  
Southern District of Texas  
FILED

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

FEB 24 2020

David J. Bradley, Clerk

United States of America

v.

Rigoberto Vargas Espitia  
YOB: 1983 CITIZENSHIP: Mexico

Case No. M-20-0497-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 23, 2020 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 841

did knowingly and intentionally possess with the intent to distribute approximately 83.88 kilograms of methamphetamine in solution a Schedule II controlled substance.

21 U.S.C § 952

did knowingly and intentionally import with the intent to distribute approximately 83.88 kilograms of methamphetamine in solution a Schedule II controlled substance.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved AUSA Mike Mitell  
2/24/20

Sworn to before me and signed in my presence.

Date:

Feb. 24, 2020 8:16 am

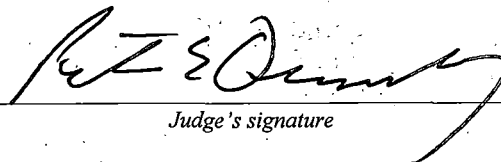
City and state: McAllen, Texas



Complainant's signature

Nathan Tong, U.S. H.S.I. Special Agent

Printed name and title



Judge's signature

U.S. Magistrate Judge Peter Ormsby

Printed name and title

Attachment "A"

On February 23, 2020 Department of Homeland Security (DHS), Homeland Security Investigations (HSI), McAllen, Texas Office received information from Customs and Border Protection (CBP), Office of Field Operations (OFO) at the Hidalgo, Texas Port of Entry (POE), in reference to the seizure of approximately 83 kg of methamphetamine, which was found in solution within the gas tank of a vehicle making entry into the United States from Mexico. The driver of the vehicle was identified as Rigoberto VARGAS Espitia,

CBP Officer A. Sanden stated the vehicle, driven by VARGAS, arrived at the primary inspection lane at approximately 1343 hours. CBP Officer Sanden noticed suspicious crossings, a suspicious itinerary, and visible gas tank tampering. CBP Officer Sanden referred the vehicle to the secondary inspection lanes. Once in secondary inspection, while utilizing the x-ray, anomalies within the gas tank of the vehicle were observed. Additionally, CBPO R. Olivares, a K9 handler, had a positive alert for the presence of narcotics from his K9 Hyro at the gas tank area of the vehicle. Upon further inspection, narcotics in solution were located within the gas tank of the vehicle. The liquid solution within the gas tank field tested positive for characteristics of methamphetamine.

HSI McAllen Special Agents responded to assist in the investigation. During a post Miranda interview of VARGAS, VARGAS made the following non-verbatim statements that have been paraphrased and may not be in the order in which he gave them:

VARGAS stated he went to an address in Reynosa, Mexico on February 23, 2020 where he retrieved a Black Ford Expedition to drive to Dallas, Texas. VARGAS stated he was being paid \$1000 to cross the vehicle into the United States from Mexico and take it to Dallas, TX. VARGAS stated that he knew he was transporting drugs into the United States on this occasion. VARGAS stated that he had crossed what he believed to be drugs on two prior occasions. VARGAS was paid \$1500 and \$1200 on the prior occasions.